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REMARKS

In a Final Office Action mailed on December 1, 2006, claims 1, 2 and 4 were rejected under 35 U.S.C. § 102(b) as being anticipated by King; claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over King in view of Strattan; claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over King in view of Ringgenberg; claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over King in view of Achee; claims 9-15, 17 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over King in view of Gano; claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over King and Gano and further in view of Donnelly; claims 9-15, 17 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over King in view of Shy; claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over King in view of Shy and further in view of Donnelly; claims 30-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lund; and claim 35 was allowed.

§§ 102 and 103 Rejections of Claims 1-18:

In response to Applicant's previous arguments, the Examiner states, "the screen assembly in King is capable of being engaged by a continuous medium," and concludes based on this finding that King anticipates claim 1. However, the Examiner is failing to consider all limitations and thus, fails to establish a *prima facie* case of anticipation for at least the reason that all of the claimed elements are not present in King.

More specifically, claim 1 does not merely recite a screen that is capable of being moved by a continuous medium, but rather, claim 1 recites a screen assembly that is adapted to be engaged by a continuous medium, which is received by a production tubing that is run downhole into the well in a single trip with the screen assembly. King also fails to teach or suggest a screen assembly that is adapted to be engaged by a continuous medium such that the continuous medium causes the *release* of the screen assembly. Thus, these specific limitations have not been addressed in the Office Action, and Applicant specifically requests the Examiner to consider all of the claim limitations when evaluating the patentability of claim 1.

To summarize, although King may arguably disclose a screen that is capable of being engaged by continuous medium, there is no teaching or even suggestion in King regarding a screen assembly that is adapted to be engaged by a continuous medium that is received by a

production tubing that is run downhole with the screen assembly and likewise fails to teach or suggest a screen assembly that is adapted to be released by a continuous medium. Therefore, for at least any of these reasons, King fails to anticipate independent claim 1. Claims 2-18 are patentable for at least the reason that these claims depend from an allowable claim.

§ 103 Rejections of Claims 29-34:

As previously set forth, Lund fails to teach or suggest providing a one-trip completion system that includes at least a perforating gun and a production tubing. The Examiner states, "Lund does disclose that one-trip completion systems with production tubing and perforating guns are known in the art." Office Action, 11. Even assuming, for purposes of argument, that the statement is correct, the Examiner fails to establish a *prima facie* case of obviousness.

More specifically, a *prima facie* case of obviousness requires that the cited art teach or suggest all claim limitations. Claim 29 sets forth actions that are performed with a one-trip completion system, which includes a perforating gun and a production tubing. The Examiner merely concludes a case of obviousness by alluding to the general knowledge of skill in the art for the purported suggestion or motivation for the modification of Lund to include the claimed one-trip completion system. However, the Examiner fails to show where the prior art contains the alleged suggestion or motivation for this modification of Lund. Rarely, can the general level of skill in the art be relied on to support a case of obviousness. *Al-Site Corp. v. VSI Int'l, Inc.*, 50 USPQ2d 1161, 1171 (Fed. Cir. 1999). In *In re Fine*, 5 USPQ2d 1596 (Fed. Cir. 1988), the Federal Circuit held that the Examiner had failed to establish a *prima facie* case of obviousness for not establishing where the prior art taught or suggested all claim limitations. A *prima facie* case of obviousness requires objective evidence, not mere speculation by the Examiner. *In re Lee*, 277 F.3d 1338, 1344, 61 USPQ2d 1430, 1434 (Fed. Cir. 2002).

Therefore, for at least the reason that the Examiner fails to set forth where the prior art contains the alleged suggestion or motivation to modify Lund so that Lund's system incorporates the missing claim limitations, a *prima facie* case of obviousness has not been established for claim 29. Claims 30-34 are patentable for at least the reason that these claims depend from an allowable claim.

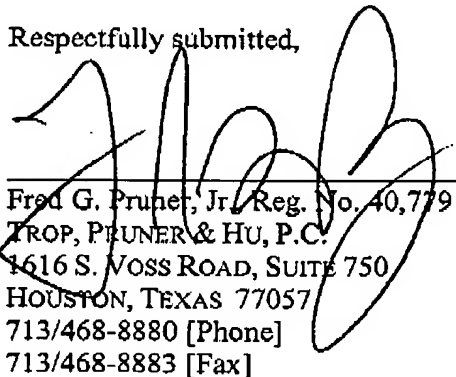
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CONCLUSION

In view of the foregoing, withdrawal of the §§ 102 and 103 rejections and a favorable action in the form of a Notice of Allowance are requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (SHL.0295US).

Respectfully submitted,



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